

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Donald W. Thornton	:	CHAPTER 13
xxx-xx-8724	:	CASE NO.07-14129-MDC
613 Northampton Road	:	
Norristown, PA 19401	:	
Debtor		: HEARING DATE:
		: TIME:
		: LOCATION: COURT ROOM No. 2
		: United States Bankruptcy Ct.
		: 900 Market St., 2 nd Floor
		: Philadelphia, PA 19106

MOTION FOR LEAVE OF COURT TO FILE NEW CHAPTER 13 CASE

And now comes the Debtor, Donald W. Thornton, by and through his counsel, Michael W. Gallagher, Esquire, does hereby pray this Honorable Court enter an Order, permitting the Debtor to file a new Chapter 13 case, despite a stipulation and Order barring said new filing absent further Order of the Court, and in support thereof does say and aver as follows:

1. The Movant is Donald W. Thornton, the Debtor in the present case.
2. The present case was originally filed on July 18, 2007.
3. Prior to the filing of this case, the debtor had several prior cases: No. 04-13914-DWS, filed on March 18, 2004, and 05-18822-DWS, filed on June 28, 2005. Both of those case were dismissed.
4. At the insistence of the Chapter 13 Trustee, the Debtor did enter into a Consent Order with the Chapter 13 Trustee on September 24, 2007 stating that if this case were dismissed for any reason, the Debtor would be barred from filing another

Chapter 13 case at any time, absent further Order of the Court.

5. The case was dismissed with prejudice on April 4, 2008.

6. Since the dismissal of this case, the Debtor has worked continuously to rearrange affairs without the benefit of a bankruptcy. While some of this has been successful, he has had less success with his real estate taxes.

7. At the present time, the Debtor has a significant arrearage for local and school real estate taxes, all of which are enforced by the Montgomery County Tax Claim Bureau.

8. There is a tax sale scheduled for the Debtor's residence for September 21, 2017.

9. The prior dismissal was at the request of the Debtor.

10. Debtor believes that he can complete a Chapter 13 Plan and repay appropriate allowed claims, including those of the Tax Claim Bureau, if permitted to go forward.

WHEREFORE, Debtor prays this Honorable Court enter an Order permitting him to file a new Chapter 13 case.

Respectfully submitted,

/s/ Michael W. Gallagher
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